

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte SAU-GEE CHEN and
CHIEH-CHIH LI

Appeal No. 1997-3424
Application 08/510,740

MAILED

FEB 28 2000

**PAT.&T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES**

ORDER REMANDING TO THE EXAMINER

Before STONER, Chief Administrative Patent Judge, HARKCOM, Vice Chief Administrative Patent Judge, and WILLIAM F. SMITH, Administrative Patent Judge.

PER CURIAM

On consideration of the record, we note that the appeal includes a rejection under 35 U.S.C. § 101 involving the statutory nature of computer-related claims. We further note that the evaluation of such claims could possibly be affected by State Street Bank & Trust Co. v. Signature Financial Group, 149 F.3d 1368, 47 USPQ2d

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1596 (Fed. Cir. 1998), cert. denied, 119 S. Ct. 851 (1999) and AT&T Corp. v. Excel Communications, Inc., 172 F.3d 1352, 50 USPQ2d 1447 (Fed. Cir.), cert. denied, 120 S. Ct. 368 (1999). Thus, we hereby remand this application for reconsideration in view of the recent decisions by the Court of Appeals for the Federal Circuit cited above and for any other action that the examiner deems appropriate.

REMANDED


BRUCE H. STONER, JR., Chief
Administrative Patent Judge


GARY V. HARKCOM, Vice Chief
Administrative Patent Judge


WILLIAM F. SMITH
Administrative Patent Judge

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